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REPORT

OF THE

LAND ATTORNEY AND STATE COLLECTOR

OF THE

STATE OF ARKANSAS,

For 1857 and 1858.

MADE TO

THE GOVERNOR,

In Pursuance of Law.

LITTLE ROCK:
JOHNSON & YERKES, STATE PRINTERS.
1858.

REPORT.

OFFICE OF LAND ATTORNEY AND STATE COLLECTOR,
Little Rock, Arkansas,
October 4th, 1858.

To his Excellency, ELIAS N. CONWAY,
Governor of the State of Arkansas:

SIR:—Pursuant to the requirement of the statute, I take pleasure in submitting to your excellency a report of my official transactions from the 12th day of January, 1857, until the 30th day of September, 1858, including the fractional first quarter, and the second, third and fourth quarters of the year 1857, and the first, second and third quarters of the present year.

During that period, I have collected and paid into the treasury of the State of Arkansas, *eighty-five thousand, four hundred and seventy-seven dollars and eighty-nine cents.* Of this amount the sum of *sixty-seven thousand, eight hundred and twenty-eight dollars and forty-seven cents*, was on account of the internal improvement fund; the sum of *thirteen thousand, nine hundred and sixty-five dollars and forty-one cents*, was on account of the seminary fund; the sum of *three thousand, five hundred and thirty-one dollars and forty cents*, was on account of the saline fund; and the sum of *one hundred and fifty-two dollars and sixty-one cents* was collected on notes given to the State of Arkansas for bank lands.

In addition to this, I have received, as collaterals, some *three thousand dollars* in drafts, that have not yet matured, but which, when paid, will be paid into the treasury and applied to the proper credits.

I have, also, returned to the auditor, for forfeiture, *eleven*

thousand, seven hundred and forty-six and 17-100 *acres* of land belonging to the 500,000 acre grant, and *one thousand, three hundred and eleven and* 38-100 *acres* belonging to the seminary grant, making in the aggregate *thirteen thousand, fifty-seven and* 55-100 *acres*, the greater part of which, I believe, has been again sold to good and resonsible individuals, and some of it at a rate above the minimum price.

There is a general disposition, on the part of a majority of the debtors to the state to pay up, and obtain titles to their lands; but owing to the shortness of the crops last year, and the financial panic, and resulting scarcity of money, collections have been shorter this year, so far, than I was led to anticipate from the promises made last year.

As attorney for the Bank of the State of Arkansas, early in last year, in order to facilitate collections and to aid in ascertaining, if possible, the exact condition of the affairs of said bank, the following circular was sent to the clerk of the circuit court of each county in the state:

"OFFICE OF LAND ATTORNEY AND STATE COLLECTOR,
Little Rock, Arkansas, April 14th, 1857.

SIR:—You will please forward to this office all the information in your office upon the following points, to-wit:

1st. If there are any suits pending in any of the courts of your county, either at law or equity, wherein the Bank of the State of Arkansas is a party, when were they instituted; for what brought; against whom, and what is the present condition?

2d. If any judgments or decrees have been rendered; against whom; when rendered; for what amount; and, if paid, to whom and when?

Your earliest attention is respectfully directed to this matter.

Very respectfully, your ob't serv't,

J. W. McCONAUGHEY, *Land Att'y and State Collector and Bank Attorney.*

To the Clerk of the circuit court of ——— county, Arks."

And in order to secure prompt answers, and uniformity in their reports, I accompanied said circular with the following printed form:

SIR—*The following is a statemeut of suits determined and now pending in* ———————— *circuit court, wherein the Bank of the State of Arkansas is a party—this* ———— *of* ————, 1857.

When instituted.	Against whom.	For what amount.	Amount of judgm't and when rendered.	Present condition.	Amo't paid and when.	By whom paid.	To whom paid.	If any mortgages were given to the said bank—their date—when filed for record—by whom made—for what property—how satisfied?

The foregoing list contains all the cases and their condition as they appear in this office.

————, *Clerk of*

———————— *County, Arks.*

And I am happy to say that a very large majority of the clerks responded, promptly, giving the desired information, whose responses, as soon as received, were turned over to the financial receiver, and I have the satisfaction to believe that said reports have greatly aided him, and those engaged with him in arriving at a correct and proper understanding of the candition of the affairs of said bank.

I have collected on account of the said bank the sum of *three thousand and fifty four dollars and ten cents*, in the bonds and coupons of said bank, which were filed with the financial receiver, making in all, the amount collected and paid over, on account of the said several funds, as follows, to-wit:

Internal improvement	$67,828 47
Seminary	13,965 41
Saline	3,531 40
Bank lands	152 60
And bonds and coupons	2,988 60

Upon nearly all of the judgments in favor of said bank that remain unsatisfied, where a hope was entertained of realizing any thing, executions have been issued and are now in the hands of the proper officers, upon many of which it is confidently believed, the money can and will be made.

Very respectfully your ob't serv't,

J. W. McCONAUGHEY, *Land Att'y*
and State Collector, and
Ex-officio Bank Att'y.